

IN THE SUPREME COURT OF IOWA

No. 22–0385

Polk County No. CVCV061992

ORDER

**ENVIRONMENTAL LAW AND POLICY
CENTER, IOWA ENVIRONMENTAL
COUNCIL and SIERRA CLUB,
Petitioners-Appellants,**

vs.

**IOWA UTILITIES BOARD,
Respondent-Appellee,**

and

**MIDAMERICAN ENERGY COMPANY,
Intervenor-Appellee,**

and

**OFFICE OF CONSUMER ADVOCATE,
Intervenor.**

This matter comes before the court upon intervenor Office of Consumer Advocate's (OCA's) motion for review pursuant to Iowa Rule of Appellate Procedure 6.1002(5), and alternatively for leave to file an amicus curiae brief. Also before the court is appellee Iowa Utilities Board's (IUB's) motion for extension of time and clarification.

Upon consideration, the August 5, 2022 order denying OCA leave to file a reply brief, and striking OCA's opening brief, is confirmed as the order of the court. OCA's alternative request to file an amicus curiae brief is granted. OCA filed a proposed amicus curiae brief with its motion for three-justice review. The court notes, however, OCA's proposed amicus brief makes arguments as if it were a party to the appeal rather than filing a brief that "would assist the court in resolving issues preserved for appellate review in the case," Iowa R. App. P. 6.906(1). Accordingly, the court does not accept the proposed amicus brief filed on August 9, 2022. Within 10 days of the date of this order, OCA may file an amended amicus brief that complies with rule 6.906.

The court notes all parties, including IUB, have filed final briefs. The IUB's motion for an extension of time and clarification is denied as moot.

Copies to:

Joshua T. Mandelbaum
Environmental Law & Policy Center
505 5th Ave., Suite 333
Des Moines, IA 50309

M. Gabriel Rowberry
Sodoro, Mooney, & Lenaghan, LLC
13924 Gold Circle
Omaha, NE 68144

Michael R. Schmidt
Iowa Environmental Council
505 5th Ave., Suite 850
Des Moines, IA 50309

Jennifer C. Easler
Jeffrey J. Cook
Office of Consumer Advocate
1375 E. Court Ave.
Des Moines, IA 50319

Bret Alan Dublinske
Fredrikson & Byron, P.A.
111 E. Grand Ave., Suite 301
Des Moines, IA 50309

Jon Tack
Kim R. Snitker
Matthew Oetker
Iowa Utilities Board
1375 E. Court Ave.
Des Moines, IA 50319



IOWA APPELLATE COURTS

State of Iowa Courts

Case Number
22-0385

Case Title
Environmental Law and Policy Center v. Iowa Utilities Bd

So Ordered

Matthew C. McDermott

Matthew C. McDermott, Justice

Electronically signed on 2022-09-12 12:24:35